

Halfmoon Township Planning Commission
100 Municipal Lane, Port Matilda PA 16870

Minutes
Tuesday December 18, 2007

Attendance: Lorin Nauman, John Stevens Bob Eberhart, Larry Fennessey, Scott Sheeder, Rob Brooks: Planning Commission. Members absent: Dave Piper.
Greg Love, zoning officer; Mark Maloney, Steve Weingarten, Chris Rand, Halfmoon Acres; Tammy Perkins, citizen; Becky Brooks, minute taker.

- I. Chair Mr. Nauman called the meeting to order at 7:16 PM. There was a wonderful selection of food and beverages for the annual Holiday Festivities. Thanks to all.
- II. Minutes: **Motion. Mr. Brooks moved to accept the minutes of November 7, 2007. Mr. Stevens seconded. Motion passed, unanimously.**
- III. Citizens Comments. None.
- IV. Reports-
 - A. BOS meeting. The water well amendment was passed 4-1. The budget was passed, the office will be open regular hours, closed on Christmas Day and New Year's Day. There were 2 presentations to Jim Andrews and Christine Bracken Piper for their years of service. The BOS voted to be broadcast on CNET, so the BOS meetings will be televised. Taping will start January 7, 2008. The Township will be able to tell how many people use computers to access the meeting, but there is no way to tell how many will watch it on TV. There will also be a newsletter twice a year.
 - B. Zoning. The subdivision, Zoning and PC regulations need to be reviewed by the PC. Mr. Love will distribute these sections and the PC will need to compile and send comments to Ms Brown by January 22, 2008. The PC will compile their comments and submit them to Ms Brown. There will be several reviewers over the next 60 days. If there are major changes there will be public notices.
 - C. Regional. The Centre Region Planning Commission meeting was cancelled.
- V. Subdivisions.
 - A. There has been nothing from Tricore.
 - B. Orchard Manor. A time extension has been granted into February 2008.
 - C. Open Space Preservation Ordinance. A review of the draft has been requested. The PC will review the contents of the draft and prepare comments to give to the BOS by January 24, 2008. The document has been consolidated.
- VI. Jeffrey Miller- request for a Veterinary Clinic. Mr. Miller is asking the Township to consider a veterinary in an A-1 District. There would have to be a special sewage module. He would like to have space for 4 kennels for dogs. It would be considered conditional use in the A-1. The property is located on SR 550 opposite Way's Fruit Farm (which would like to expand its commercial area as well). The PC will formally review the plan in January. The A-1 could be amended to allow a vet clinic. **Motion. Mr. Brooks moved that the staff prepare a draft amendment to allow a veterinary clinic as a conditional use in the A1. Mr. Fennessey wanted to be sure that a clinic such as this have considerable setbacks from other residences. Mr. Brooks said that the Town could put strict conditions in the amendment. Mr. Love said that the**

**biggest issues would be sewage and code. Mr. Love will have a draft for the PCs
January 8th meeting. Vote 6-0.**

VII.

RVD.

A. Supplemental Setback. Mr. Brooks started the conversation by saying that the original plan involved businesses on all 4 corners and a relaxation of the 150' buffer in that area. There may be some logic to having businesses in that locale. Mr. Maloney said there would be a need for a pedestrian connection between the north side and the south side of SR550, as they are trying to foster a neighborhood connection. Essentially 25% of the land along SR550 could be double loaded. The rest is a 150' buffer. Mr. Brooks thought this was a reasonable compromise because of the need for something at a major crossroads. He added that he is still in favor of slowing traffic by creating a "village" setting. Mr. Maloney said that there were no plans for a traffic control on SR550 as of yet. The parking is behind the commercial buildings. There was discussion about this area and the issues.

Mr. Fennessey asked about setbacks in the commercial area. Mr. Maloney said perhaps 30 feet, maybe more. Mr. Love said that 33' from the centerline is the current right-of-way. There was discussion about pedestrians crossing SR550. Mr. Eberhart said that at the joint Patton/Halfmoon meetings the primary issue is to keep SR550 as an artery. Pedestrian crossings are an issue. He asked what % of the DUs are on the north side of SR 550. Mr. Maloney said perhaps about 1/3 of the dwellings. Mr. Weingarten said that if the Town were to acknowledge that there would be some pedestrian movement, some setbacks should be narrower than 150'. Mr. Brooks suggested that the total length of the property along SR 550 is about 1/2 a mile and of that about 600' would be a reduced setback of about 40'. Mr. Weingarten said that one could put language in the document that 25% of the frontage would be reduced setback. Motion. Mr. Brooks moved that no more than 25% of the frontage could have a reduced setback of 40 or 50 feet, and that area could be double loaded or single loaded subject to BOS approval. Mr. Stevens seconded. Discussion. Mr. Sheeder said that that means that 75% of the frontage has 150' setback. Mr. Maloney said that the commercial buildings are generally on the south side of SR550. Mr. Fennessey said that it is not the PC's place to designate 40 or 50'. Twenty five percent ought to be able to be closer than 150'. Mr. Brooks amended the motion to remove the specificity of the distance, just that 25% of the frontage on SR 550 can be less than 150' and the distance is at the discretion of the BOS and the PC. Vote. 4-1 with 1 abstention.

B. Parkland. (page 18 of the draft document.) There was an initial discrepancy regarding the % of required parkland. One place said that 5% of the total needs to be parkland, another states that 0.05 acres of parkland per DU is required. One rule would encumber about 50 acres; the latter is about 95 acres. Portions of parkland in this Ordinance would count as open space. Mr. Maloney asked if there could be some sort of compromise because of the off-site open space requirement. Mr. Brooks said that he and Mr. DeGregorio would try to revisit and reconcile the issue. Mr. Maloney said that the current suggestion does not allow for any small parks (tot-lots), because of the size requirement. Perhaps the larger parks could be publicly dedicated and the smaller ones private, maintained by the homeowners association. Mr. Brooks will rework these issues with Mr. DeGregorio, with consideration of the recent Parks Ordinance.

C. Density. They distributed a summarized current version, which was compiled by the subcommittee of Reed Moyer, Lorin Nauman, Bob Eberhart, Rob Brooks and Tammy Perkins. Rob summarized the document. For permanent conservation there are 2 methods. Method 1 is a contractual agreement with the landowner in conjunction with the OSPP involving purchase of the remainder interest (99yrs+). The 2nd method is an

agreement between the developer and the landowner reaching a contractual agreement with no connection to the OSPP.

The committee could not reach a consensus regarding the \$1,340 fee-in-lieu, a third method. The money generated would be kept in a separate fund. The money would be in a separate fund to insure that the landowner would be clear whether his exchange would involve just development rights or rights for a developer to increase density. There would be a bonus for early conservation.

- D. Fee-in-lieu. There is a 15% discount if the fee-in-lieu is paid at Master Plan approval. The CPI would be used to increase annually. No more than 50% could be used in methods 1 + 2 because the Township needs cash in hand. Method 3 is fee in lieu, which should be done by phase. The 15% reduction would apply if paid upon approval of the Master Plan. Unless the early payment was used, the developer would pay 100% at the beginning of each phase.

Mr. Nauman said that conservation easement purchases in the area are between \$4,000-5,000 per acre. The \$1,340 is considerably discounted. There was discussion about the appraisal process. Mr. Nauman said that if a piece of land were permanently removed from development, the IRS would want to know the land value. Mr. Maloney said if he could find 1 person who wanted to sell the remainder interest, then we would have some data. Mr. Sheeder said if we have money from the RVD and the OSP we have 2 separate funds so we have an option. Mr. Maloney said that method 1 is not a partnership, legally, but we are putting monies together so that the Township has more money to use for preservation. Mr. Brooks said that if there is an accounting, like Scott said, and if a plan were agreed upon, then the OSPP would be amended.

Mr. Weingarten said the question is, is this appropriate? The BOS will have to look at it and decide. If these points are clarified, it accomplishes what we set out to do.

Mr. Eberhart said that he still has 2 issues. One is that the \$1,340 is not agreed upon and the BOS will have to decide. Second is that Method 1 only requires the developer to buy remainder interest, and the Township pays the rest of the 99 years. Method 2 actually requires the developer to go out and buy the rights; it does not cost the Township anything. Mr. Brooks said that he understood what Mr. Eberhart is saying, but we must look at the big picture of what the overall zone does for the Township.

Mr. Maloney said the target keeps moving and eroding. He thinks the plan is innovative, and if there is a balance, everyone will benefit. Mr. Brooks said that there are pieces that are not lining up.

Mr. Fennessey said that National trends are changing, narrower streets, fewer sidewalks, etc. It is hard to predict the next 20 years.

Mr. Brooks said that with the corrections this document can go forward, leaving out the \$1,340, and it is up to the BOS to agree on that issue.

Mr. Eberhart read from a paper that the BOS had written about the difference between lease and permanent sale of development rights. Mr. Nauman said that the \$1,340 is the lease price and permanent easement is 40-60% off.

Mr. Weingarten said the 3 methods are good options, but comparatively the density that is being discussed is very low. We need to look at what is appropriate planning. If you want preservation there, you have to give something here. You can go to your constituents and say we can preserve land at \$1,340 per acre and in turn you have created a well-planned zone. If you have to match the current price of preserving an acre you will make an unusable Ordinance. It seem that \$1,340 is a reasonable proxy, and not tied to the OSPP. If you decide the RVD is a good thing these \$\$'s must be decided. You need to work with an Ordinance that is economically viable.

Mr. Nauman said that the OSPP would have to be changed because it does not coincide. Mr. Brooks said that the language would have to be modified. Mr. Maloney said that it seemed that the RVD would be accepted first then the other Ordinances would get tweaked.

Mr. Eberhart said that public sewer in this part of the Township would be a good thing. It was thought originally that the Township did not want to let public sewer into the Township. Minds are changing because clean water in an issue.

Mr. Fennessey doesn't like method 1 at all. He agrees with Mr. Eberhart. Mr. Brooks said that this has been part of the plan we have been working on for 3 years, and that it should not be changed at this late date.

Mr. DeGregorio will work on the language. Mr. Sheeder said he thought that the burden of the \$\$ figure should be the responsibility of the BOS. Ms Perkins said that the BOS would be looking for information about the plan so it is iffy that they will decide. She added that there is no way that this document will be passed in February, there is too much undecided. **Motion. Mr. Eberhart moved to send this edited document forward without the dollar figure. The PC will look at the document before it is sent to the BOS. Mr. Fennessey seconded. Vote: 6-0.**

The meeting was adjourned 10:10 PM.

Respectfully submitted,

Rebecca P. Brooks, minute taker